UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,004	08/07/2003	Daniela Bourges-Waldegg	CH920010066US1	1576

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EXAMINER
FEARER, MARK D

ART UNIT	PAPER NUMBER
2143	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/636,004	BOURGES-WALDEGG ET AL.
	Examiner	**Art Unit**	
	Mark D. Fearer	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 August 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-3,8-11,16 and 17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-3,8-11,16 and 17</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>07 May 2007</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☒ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

- Applicant's Request for Continued Examination filed 10/17/07 is acknowledged.

- Applicant's Amendment filed 10/17/07 is acknowledged.

- Claims 1-3, 8-11, and 16-17 have been amended.

- Claims 4-7 and 12-15 are cancelled.

- Claims 1-3, 8-11, and 16-17 are pending in the present application.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3, 8-11 and 16-17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Janik (US 20020013852 A1) in view of Gibbs et al. (US

20030236917 A1) and in further view of Mousseau et al. (US 20020194285 A1).

Consider claims 1, 10, and 17. Janik discloses an electronic device, comprising

interfaces for connecting output units to said device (("The system disclosed herein

provides a communication connection and a content and data management system

comprised of software and hardware...") paragraph 0072), a control unit for controlling

the routing of messages (("System control application 18 serves the function of

managing the connection between content 10 and various servers on Internet 8, and PC

34 and storage gateway 38, and also manages the flow of information between PC 34

and storage gateway 38, and client devices 78.") paragraph 0084), said messages

being determined to be presented to a user of said device via at least one of said output

units, said control unit being configured for: determining at least one of said output units

for routing a message to based on a result of a message classification process, and

routing said message to that interface serving said determined output unit (("Briefly and

generally, the system is used to provide a means for end users to program preference-

based content for delivery at various client devices, and then to automatically or under

the control of the user, send the content to client devices for presentation to the end

user.") paragraph 0027). However, Janik fails to disclose an electronic device,

comprising a plurality of interfaces and a message classification process comprising

analysis of messages and dynamic configuration of messages based on at least one of

message content analysis, presentability, sender and confidentiality level. Gibbs et al.

discloses a plurality of interfaces (("A content analyzer receives and analyzes content to

be rendered at a plurality of recipient devices against display capabilities of the

respective devices.") abstract) and a method of dynamic classification (("The classifier

132 can be trained explicitly and/or implicitly to perform classification in terms of

dynamic rendering of content.") paragraph 0024) based on message content analysis

(("Any suitable component for carrying out the functions of the content analyzer 130

may be employed and is intended to fall within the scope of the hereto appended

claims. For example, the content analyzer 130 can employ a content classifier 132,

which can facilitate automatic classification of content.") paragraph 0024). Therefore, it

would have been obvious to a person of ordinary skill in the art at the time the invention

was made to incorporate an electronic device, comprising a plurality of interfaces and a

message classification process comprising analysis of messages and dynamic

configuration of messages based on message content analysis as taught by Gibbs et al.

with an electronic device, comprising interfaces for connecting output units to said

device, a control unit for controlling the routing of messages, said messages being

determined to be presented to a user of said device via at least one of said output units,

said control unit being configured for: determining at least one of said output units for

routing a message to based on a result of a message classification process, and routing

said message to that interface serving said determined output unit as taught by Janik for

the purpose of routing input data to a plurality of output devices. However, Janik, as modified by Gibbs et al., fails to disclose a method comprising means for a user device to determine routing of messages or a method of determining an output unit for rendering a received message based on dynamic message classification. Mousseau et al. discloses a method for redirecting message attachments between a host system and a mobile data communication device wherein a redirector determines a path for content that is input from a host system and directs it to a compatible output device (("In addition to the functionality noted above, the redirector program provides a set of software-implemented control functions for determining the type of mobile data communication device and its address, for programming a preferred list of message types that are to be redirected, and for determining whether the mobile device can receive and process certain types of message attachments, such as word processor or voice attachments. The determination of whether a particular mobile device can receive and process attachments is preferably initially configured by the user of that mobile device at the host system. This configuration can be altered on a global, per message basis or per device basis by transmitting a command message from the mobile device to the host system. If the redirector is configured so that the mobile data device cannot receive and process word processor or voice attachments, then the redirector routes these attachments to an external machine that is compatible with the particular attachment, such as an attached printer or networked fax machine or telephone. Other types of attachments could be redirected to other types of external machines in a similar fashion, depending upon the capabilities of the mobile device. For example, if a user is traveling

and receives a message with an attachment that the user's mobile device can process

or display, the user may from a mobile communications device send a command

message to the host system indicating that that attachment is to be sent to a fax

machine at a hotel where the user will be spending the evening. This enables the user

to receive important E-mail attachments as long as the host system is provided with

sufficient information about the destination where the attachment is to be forwarded.")

paragraph 0016).

Therefore, it would have been obvious for a person of ordinary skill in the art at

the time the invention was made to incorporate a method for redirecting message

attachments between a host system and a mobile data communication device wherein a

redirector determines a path for content that is input from a host system and directs it to

a compatible output device as taught by Mousseau et al. with an electronic device,

comprising a plurality of interfaces and a message classification process comprising

analysis of messages and dynamic configuration of messages based on message

content analysis and an electronic device, comprising interfaces for connecting output

units to said device, a control unit for controlling the routing of messages, said

messages being determined to be presented to a user of said device via at least one of

said output units, said control unit being configured for: determining at least one of said

output units for routing a message to based on a result of a message classification

process, and routing said message to that interface serving said determined output unit

as taught by Janik, as modified by Gibbs et al., for the purpose of dynamically rendered

data.

Consider claim 2, and as applied to claim 1 above. Janik, as modified by Gibbs et al. and Mousseau et al., discloses an electronic device comprising a stored look-up table (("System control application database 96 is a set of files that contain system parameters and data.") Janik, paragraph 0085) with classification levels being allocated to output units ("Further sub classification of content within file types or genres. For example a "music" category may be further divided into additional classifications such as "classical", "jazz", "pop", "internet radio" and the like.") Janik, paragraph 0077).

Consider claims 3 and 11, and as applied to claims 1 and 10, respectively. Janik, as modified by Mousseau et al., discloses an electronic device comprising a classification unit for running said classification process for classifying to be output messages (("Audio device content editor 24 provides the user with the ability to group audio files (tracks) into user-defined playlists, which are text association that contains a list of and paths to audio files or the URLs or IP addresses of audio streams, and are stored in system control application database 96. For example, a user may create a playlist called "Classical Music" that contains ten Beethoven symphonies.") Janik, paragraph 0132). However, Janik, as modified by Mousseau et al., fails to disclose a process of classifying messages. Gibbs et al. discloses a method of classifier models (("According to one aspect of the invention, the use of the SVM method is employed as the classifier 132. It is to be appreciated that other classifier models may also be utilized such as Naive Bayes, more general probabilistic dependency models referred to as Bayesian networks, decision trees, and other learning models, including hierarchically structured versions of these models, where alternate layers employ the same or a

different classifiers SVM's are configured via a learning or training phase within a classifier constructor and feature selection module 132. A classifier is a function that maps an input attribute vector, $x=(x1, x2, x3, x4, xn)$, to a confidence that the input belongs to a class--that is, $f(x)=confidence(class)$. In the case of content/text classification, attributes are words or phrases or other domain-specific attributes derived from the words (e.g., parts of speech, presence of key terms), and the classes are categories of various kinds, such as for example important versus non-important content.") paragraph 0025).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a method of classifier models as taught by Gibbs et al. with an electronic device comprising a classification unit for running said classification process for classifying to be output messages as taught by Janik, as modified by Mousseau et al., for the purpose of applying a proper set of rules from a large amount of instances.

Consider claims 8 and 16, and as applied to claims 1 and 10, respectively. Janik, as modified by Mousseau et al., discloses an electronic device comprising an identification unit for identifying connected output units and for making control unit determine output units for routing message to (("Network Address Translation (NAT) and routing--certain client devices 78 must be connected to the Internet 8 in real time. Core module 42 acts to connect messages and streams from client devices 78 to Internet 8, and from Internet 8 to the client devices 78.") Janik, paragraph 0107).

However, Janik, as modified by Mousseau et al., fails to disclose identifying available connected output units. Gibbs et al. discloses a method of identifying recipient devices for content and determining capabilities of said recipient devices ((FIG. 8 illustrates a high-level flow diagram for modifying and/or rendering content in accordance with the subject invention. At 800, a request is received to provide and/or disseminate dynamically generated content. Recipient devices for the content are identified as well as associated capabilities (e.g., display constraints, processing capabilities) are identified at 810. At 820, a determination is made as to whether the content to be displayed in full exceeds display capabilities of the recipient device. If no, at 830, the content is rendered. On the other hand, if at 820 a determination is made that the content exceeds device capabilities, the content is modified (e.g., sub-divided, paginated, truncated, compressed) into suitable subsets for rendering at the recipient device. At 850, the subsets of content are sequentially rendered until all content is delivered.) paragraph 0048).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a method of identifying recipient devices for content and determining capabilities of said recipient devices as taught by Gibbs et al. with an electronic device comprising an identification unit for identifying connected output units and for making control unit determine output units for routing message to as taught by Janik, as modified by Mousseau et al., for the purpose of a communications system capable of routing messages to capable output terminals.

Consider claim 9, and as applied to claim 1 above. Janik, as modified by Gibbs et al. and Mousseau et al., discloses an electronic device that is portable (("In this embodiment, client device 78 is a portable computing device referred to as a webpad 92, able to be carried around the house or within range of LAN 70.") Janik, paragraph 0197).

Response to Arguments

Applicant's arguments filed 17 October 2007 with respect to claims 1-3, 8-11 and 16-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any response to this Office Action should be faxed to (571) 273-8300 or mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Mark Fearer whose telephone number is (571) 270-1770. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Mark Fearer
M.D.F./mdf
January 11, 2008